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## Legislative Council

67th Montana Legislature

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SUSAN FOX, Executive Director  
TODD EVERTS, Legal Division Director  
FONG HOM, Secretary

September 27, 2021

To: Subcommittee on Succession Planning

From: Susan B. Fox

Re: Proposed process and materials for review

Over twenty years ago, when Bob Person, former Executive Director, was retiring, he used a process to prepare for his retirement. A subcommittee of legislators from the Legislative Council and an HR consultant (before we had a dedicated FTE HR Manager) interviewed people with different perspectives on the nature and role of the LSD Executive Director position. As Bob had stated in a letter to those who would be interviewed:

While the subcommittee members themselves must be responsible for understanding the relationship [of the executive director with legislators and the Legislative Council], they cannot be expected to understand the others' relationships except through study of the question. The main purpose of the conversations ... is to allow people who have developed a necessary perspective to share with the subcommittee and provide the members with the foundation they need to feed into the vision for the position.

There are a few other items for the subcommittee to consider:

- Do you want the HR manager or an outside facilitator to help organize and conduct the interviews? In 1999, we did not have an HR Manager and Kelly DaSilva has helped both LAD and LFD replace their directors in recent years.
- Do you want an overlap period for the current and newly-hired directors for training?

A proposed process is for the Subcommittee to meet and begin to develop a strategic vision for the position. At the first meeting, the subcommittee could discuss the list of interviewees, review draft questions for the interviews, and decide on facilitation. The with Kelly's help, we can plan, schedule, conduct the interviews with staff and myself, update the position description, and post the job announcement by the first of next year. The subcommittee could target February or March for interviews and hire in April. Additional Legislative Council meetings may need to be scheduled.

The main purpose of the interviews is to allow people who have developed different perspectives to share information to form a vision for the position. Below are the proposed relationships and potential

interviewees to assist the subcommittee in understanding the position, in its relationship to:

- (a) Legislative Council (including understanding the nature of the employment contract);
- (b) Legislators (experienced and new, both chambers and parties);
- (c) Legislative Services Division staff: management team of the offices, senior staffers, new/junior staffers;
- (d) House and Senate staff: session staff leaders (Marilyn Miller, Carolyn Tschida, Brad Murfitt), leadership staff;
- (e) the Legislative Auditor and Legislative Fiscal Analyst (partnership);
- (f) state government (could provide names of those whom I have worked with: Dof A, ITB, SEGBAC, COPP, and MHS and contractors: MPAN, Propylon).

The following are questions that are based on the 1999 memo for consideration by the subcommittee:

- What is the formal relationship between the executive director's position and your position?
- How, ideally, can the person in this position help you do your job? What kinds of things can the person in this position do that might hinder that ability?
- What kinds of informal relationships exist, and what if any informal ones should exist?
- How do you view the potential leadership role of a person in this position? Should the executive director be a person who is involved in policy development working closely with staff to be sure that legislation is going the right way? Should the executive director be a strong advocate for staff concerns? Should the executive director be a strong manager internally and be seen to "run a tight ship" in the traditional hierarchical sense or is a more collaborative management style be more likely to be productive?
- How should the representational role of the executive director be perceived outside the Legislative Services Division and the Legislative Branch? Should the Legislative Council and the Legislature look to this position as one that can and should be able to speak authoritatively about the branch? If so, what should be the boundaries on the content of that authority? If not, what role should the executive director expect to play in assuring that LSD or Legislative Branch needs and views are expressed outside the Branch?
- What is the planning role of the executive director vis a vis your function? Should there be a strong planning role or more of a collaborative effort?
- Are there any aspects of the Position Description that you would emphasize as particularly important for the subcommittee to recognize? Are there things about it you find incorrect or misleading? Is there anything missing you think should be there?

#### Attachments

- Job description
- LSD Management team and Updated Org Chart
- Legislative Council Meeting dates
- Subcommittee members and other interim committees